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FOR MULTNOMAH COUNTY, OREGON
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Of Attorneys for Defendant Multnomah County

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KEVIN GILLEY,

Plaintiff,

v.

**STATE OF OREGON, and MULTNOMAH
COUNTY, and CITY OF PORTLAND, and
OFFICER ERIC B. TORGERSON,
personally, and DEPUTY DISTRICT
ATTORNEY JOHN HORTON, and
MULTNOMAH COUNTY CIRCUIT
COURT JUDGE STEPHEN L.
GALLAGHER, and CLIFFORD L.
FREEMAN,**

Defendants.

Civil No. CV 05-1256-KI

DEFENDANT MULTNOMAH
COUNTY'S MOTION FOR SUMMARY
JUDGMENT

Pursuant to Fed. R. Civ. P. 56

LR 7.1 Certificate of Compliance

Pursuant to LR 7.1(a), defendant Multnomah County certifies that prior to the filing of this motion counsel made a good faith effort to confer with plaintiff pro se by telephone conferences to resolve the dispute and that the parties were unable to come to an agreement.

Page 1 – DEFENDANT MULTNOMAH COUNTY'S MOTION FOR SUMMARY
JUDGMENT

Questions Presented

1. Is defendant Multnomah County entitled to summary judgment on plaintiff's 42 U.S.C. § 1983 claims alleging that the County violated plaintiff's Fourth and Eighth Amendment rights when it detained plaintiff pursuant to a valid warrant?
2. Is defendant Multnomah County entitled to quasi-judicial immunity when it detained plaintiff pursuant to a valid court order?

Motion

Pursuant to Fed. R. Civ. P. 56, defendant Multnomah County moves for summary judgment dismissing plaintiff's Complaint in its entirety on the grounds that there are no genuine issues of material fact and that defendant is entitled to judgment as a matter of law.

This Motion is supported by defendant Multnomah County's Concise Statement of Facts, Memorandum in Support of Defendant's Motion for Summary Judgment, and the Declarations of Stephen L. Madkour and Rebecca J. Child and the exhibits attached hereto.

Dated this 29th day of June, 2006.

Respectfully submitted,

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

s/ Stephen L. Madkour
Stephen L. Madkour, OSB No. 94109
Assistant County Attorney
Of Attorneys for Defendant Multnomah County

CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2006, I served the foregoing **DEFENDANT**
MULTNOMAH COUNTY'S MOTION FOR SUMMARY JUDGMENT on:

Kevin R. Gilley
PMB 430
4326 SE Woodstock Blvd.
Portland, OR 97206
Plaintiff, *Pro Se*

by **mailing** to said person(s) a true copy thereof, said copy placed in a sealed envelope, postage prepaid and addressed to said person(s) at the last known address for said person(s) as shown above, and deposited in the post office at Portland, Oregon, on the date set forth above.

AND ON:

J. Scott Moede, of Attorneys for defendant City of Portland, by **electronic court filing** pursuant to LR 100.

s/ Nora McConnell
Nora McConnell
Assistant to Stephen L. Madkour